IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

APPEAL NO.890 OF 2006
IN
NOTICE OF MOTION NO.2434 OF 2006
IN
SUIT NO.1385 OF 1984

Mrs. Piloo Fali Bomanji & Ors. ..
Appellants.
(Orig. Applicants)

Vs.

M/s. Formal Engineering Ltd. & anr. ..Respondents.
(Orig. Plaintiff)

....

Shri Rohit Kapadia with Shri Chetan Kapadia and Shri Dinesh Juvekar i/b Mahernosh Humranwala for the Appellants.

Shri M. P. S. Rao i/b M/s. Little & Co. for the Respondents.

....

CORAM: **R. M. S. KHANDEPARKAR, &**
DR. D.Y. CHANDRACHUD, JJ.

31st January, 2007.

P.C. :

Heard.

By consent the impugned order is set aside and the matter is remanded to the Learned Single Judge in Notice of Motion 2434 of 2006 to consider the same in accordance with the provisions of law. We make it clear that we have not expressed any opinion on the merits of the case. The Appeal accordingly

stands disposed of. There shall be no order as to costs.

(R. M. S. KHANDEPARKAR, J.)

(DR. D.Y. CHANDRACHUD, J.)